

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 70

DELEGATED DECISION TO DETERMINE PLANNING APPLICATIONS

Reference No:	2023/62/93480/E
Site Address:	65-67, Huddersfield Road, Shelley, Huddersfield, HD8 8HG
Description:	Erection of ground floor and first floor extensions and alterations to convert two dwellings into one dwelling
Recommending Officer:	Edward Cheseldine

DECISION – CONDITIONAL FULL PERMISSION

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Emma Thompson

AUTHORISED OFFICER

Date: 16-Feb-2024

HOUSEHOLDER DELEGATED REPORT

Application Number	2023/93480
Location	65-67, Huddersfield Road, Shelley, Huddersfield, HD8 8HG
Proposal	Erection of ground floor and first floor extensions and alterations to convert two dwellings into one dwelling
Publicity end date	10 January 2024
Number of representations received	0
Kirklees Local Plan Allocation/Designation	None
Extension to Time (EoT)	Yes – 16/02/2024
Recommendation	Conditional Full Permission

	NO	YES
Applicant a Council Member or Officer in Investment and Regeneration (Skills and Regeneration)	✓	
Contrary to previous decision	✓	
Called in by Ward Member	✓	
Significant number of representations received	✓	

If 'No' to all above, proceed with a fast track report

By indicating that the development proposal complies with relevant national and local policy and the 'House Extensions and Alterations' Supplementary Planning Document, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during any site visit, any comments received in connection with the application and any other considerations which are material to the decision.

Policy

National

National Planning Policy Framework (NPPF) December 2023
National Planning Practice Guidance (NPPG)

- NPPF Chapter 2 – Achieving sustainable development
- NPPF Chapter 12 – Achieving well-designed and beautiful places
- NPPF Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Local

Kirklees Local Plan (LP):

- **LP 1** – Achieving sustainable development
- **LP 2** – Place shaping
- **LP 21** – Highways and access
- **LP 22** – Parking
- **LP 24** – Design
- **LP 51** – Protection and improvement of air quality

Supplementary Planning Document ‘House Extensions and Alterations’ (2021).

- Key design principle 1: Local character and street scene
- Key design principle 2: Impact on the original house
- Key design principle 3: Privacy
- Key design principle 4: Habitable rooms and side windows
- Key design principle 5: Overshadowing/loss of light
- Key design principle 6: Preventing overbearing impact
- Key design principle 7: Outdoor space
- Key design principle 8: Energy efficiency
- Key design principle 9: Construction materials
- Key design principle 10: Renewable energy
- Key design principle 11: Water retention
- Key design principle 12: Natural environment
- Key design principle 13: Vegetation and tree planting
- Key design principle 14: Drainage and flood risk
- Key design principle 15: Provision for parking
- Key design principle 16: Provision for waste storage
- Key design principle 17: Access for all users

	YES / NO	SUMMARY
Negotiations/Amendments during course of application	No	None
Parish/Town Council comments sought	Kirkburton	No comment

Planning History		2022/92183 - Erection of first floor extension and alterations to convert two dwellings into one dwelling – Full permission granted.
Consultations required	None	

Assessment

This application is for the conversion of dwellings 65 & 67 No. to be formed into one single dwelling, a two-storey rear extension and single storey extension for the property at No. 65, as well as additional side windows to be installed.

In terms of a conversion from two dwellings into one, the front of elevation of the properties will remain unchanged, a valley gutter will be installed on the first-floor rear extension maintain the character of the two individual dwellings, the conversion is sympathetic to the character of the dwellings and is acceptable in terms of the creation of 1 dwelling.

The Kirklees SPD sets out that two-storey rear extensions should comply with certain parameters set out at paragraph 5.8 on page 25 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be proportionate to the size of the original house and garden		The proposal consists of the forming of a cross-pitched roof which extends past the original rear elevation of No. 57. The form of the two properties will not be retained, cumulatively with the ground floor storey, the large projection will only be on one side of the property. In this instance, weight can be afforded to extant permission 2022/92183 for the increase in mass and change to the form from the first-floor projection and roof style.

Not normally exceed 50% of the total area of land around the original house (including previous extensions and outbuildings);	Yes	
Not project out more than 3 metres from the rear wall of the original house or by 4 metres for detached properties;		The two-storey element of the extension will have a ~8.80m projection. In this instance, there is extant permission for the two-storey element of the proposal under 2022/92183 which can be afforded weight in the decision with regard to the projection.
Not exceed a height at the eaves of 3 metres where the extension is within 1.5 metres of the property boundary	N/A	
Be separated from the property boundary, such as a wall, fence or hedge, by at least 1.5 metre	Yes	
Not adversely affect habitable room windows where they adjoin a neighbour's boundary.	N/A	

The Kirklees SPD sets out that single-storey rear extensions should comply with certain parameters set out at paragraph 5.6 on page 24 (and listed below) and if they do not, they need to be justified:

	<u>Yes - COMPLY</u>	<u>No - JUSTIFY</u>
Be in keeping with the scale and style of the original house		Considering the cumulative impact of the extensions, there will be a change to the original form of the buildings as only one of the sides of

		the dwelling will host the first-storey new projection. The front elevation will be retained which is considered to be a positive consideration. In consideration to the changes to scale and size, there is a precedent for the scale from the existing garage and single-storey protrusion, 2022/92183 can be afforded weight in the decision to the first-storey element of the extension. The additional scale is considered relative to the development previously approved and will not appear out of character with this.
Not normally cover more than half the total area around the original house (including previous extensions and outbuildings)	Yes	
Not exceed 4 metres in height		The height of the first-storey extension will be ~4.60m, it features a high pitched roof to form a gable-end. The eaves of the extension will be to a height of ~2.80m, therefore the height is drawn from the pitched roof style. Given the roof shape matched the existing pitched roof the additional height is acceptable.
Not project out more than 3 metres from the rear wall of the original		The single storey extension will project ~5.00m from the

house for semi-detached and terraces houses or by 4 metres for detached properties		original rear elevation. Currently within the footprint of the extension is a garage which will be demolished as part of the proposal. On OS maps from 1955, there is a footprint marked within this section of the site. Given the demolition of the current garage and principle of built material on the site, the projection is acceptable.
Where they exceed 3m in length the eaves height should generally not exceed 2.5 meters		The eaves height is ~2.80 which is marginally above the outlined height, such an increase will not materially detract from the character of the dwelling, or impact neighbours, which is acceptable.
retain a gap of at least 1 metre from a property boundary, such as a wall, fence or hedge	Yes	

Design and Visual Amenity: Are the considerations in the following table acceptable?

Summary of local street scene/character: 65-67 Huddersfield Road is a stone constructed dwelling with a distinctive countryside character due its location, being on the periphery of Shelley, whilst bordering the Green Belt. There is variety within the nearby building group because of the materials present, types of properties, heights, and sizes.

Consideration has been given here in terms of the proposals impact on the local character and street scene, including subservience, terracing and building line.

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on the Local character and street scene	• KDP1 of the SPD • Policy LP24 Design (a) and (c) of the KLP • Chapter 12 NPPF	The proposal is for a large rear extension, that falls within the present footprint of the built material on the site. The alterations will increase the massing and bulk of the building dominating the northern face of the dwelling, which is visible from Huddersfield Road. Although this will be highly visible, weight can be afforded to extant permission 2022/92183 for the additional bulk and massing, creating a large dwelling set within the street scene.	✓
Impact on original house	• KDP2 of the SPD • Policy LP24 Design (c) and (d) of the KLP • Chapter 12 of the NPPF	The original frontage is to be retained which is a positive attribute to the character of the house. The ground floor extension will replace a garage which is similar in footprint to the proposed. The resultant additions will therefore mitigate the increase in size of the dwelling. In terms of scale, the proposed increases are large in consideration of the original dwelling, however, weight can be afforded to extant permission 2022/92183 for the additions relating to the scale extensions compared to the original dwelling house. Due to	✓

		the removal of the existing garage and the extant permission, the impact to the size and scale is acceptable.	
Height, scale and massing	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	The ground floor extension will replace a garage which is similar in footprint to the proposed. The resultant additions will therefore mitigate the increase in size of the dwelling. In terms of scale, the proposed increases are large in consideration of the original dwelling, however, weight can be afforded to extant permission 2022/92183 for the additions relating to the scale extensions compared to the original dwelling house. Due to the removal of the existing garage and the extant permission, the impact to the size and scale is acceptable.	✓
Facing materials and detailing	• KDP 9 of the SPD • Policy LP24 Design (d) (iii) of the KLP • Chapter 12 of the NPPF	The proposal consists of coursed stone exterior walls and stone slates. Materials match the existing property. Detailing is modest and follows the form of the existing building.	✓
Roof style	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	A cross-pitched roof style has been chosen, which will detract from the original character of the building. It will project past the south section of the building, forming an incongruous roof form in the streetscene. In this instance weight can be	✓

		afforded to extant permission 2022/92183 for the chosen cross pitched roof.	
Window proportions	• KDP 1 and 2 of the SPD • Policy LP24 Design (a), (c) and (d) of the KLP • Chapter 12 of the NPPF	Window proportions match the existing dwelling. There will be a highly glazed	✓
Accessibility for all users	• KDP 17 of the SPD • Policy LP24 Design (f) • Chapter 12 of the NPPF	This proposal is compliant with Kirklees accessibility policies.	✓

The design of the proposal is therefore acceptable and accords with policies LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Residential Amenity: Are the considerations in the following table acceptable?

The main properties affected are:

- 69 Huddersfield Road

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on privacy of neighbours (to sides, rear and front)	• KDP 3 & 4 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	No. 69 is situated to the south of the application site. There is a side window proposed on the south elevation of the application dwelling, serving a kitchen area. Between the dwellings there is hedging forming a boundary treatment. There is a ~13.20m separation distance between the dwellings,	✓

		with the side window of No. 69 also serving a kitchen area. The House Extensions & Alterations Supplementary Planning Document states windows facing a non-habitable windows should have minimum distance of 12.00m which the plans accord with.	
Impact on light and outlook of neighbours (to sides, rear and front)	• KDP 4, 5, 6 of the SPD • Policy LP24 Design (b) • Chapter 12 of the NPPF	Due to distance there will not be an impact to light levels or an impact to outlook of the neighbouring property.	✓

The proposal is therefore acceptable in terms of residential amenity and accords with policy LP24 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Highways and Parking: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on highway safety	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	N/A	N/A
Parking provision	• KDP 15 of the SPD • Policy LP22 Parking (f) of the KLP • Chapter 12 of the NPPF	This application is for an increase in residential amenity space, the number of bedrooms will increase from 3 bedrooms to 5 bedrooms. There is currently sufficient hardstanding material on site to accommodate the increase in amenity	✓

		space. There will be no impact to parking on Huddersfield Road.	
Provision for waste storage	• KDP 16 of the SPD • Policy LP24 Design (d) (iv) • Chapter 12 of the NPPF	Side access for bin storage will not be removed, under the plans.	✓

The proposal is therefore acceptable in terms of highways and parking and accords with policies LP21 and LP22 of the adopted Kirklees Local Plan, the SPD and the NPPF.

Other matters: Are the following acceptable?

	Relevant key design principle (KDP) of the SPD, Policy in the Kirklees Local Plan and the NPPF	Further comments	✓ / X / N/A
Impact on trees	• KDP 13 of the SPD • Policy LP24 Design (d) (i) (iv) Policy LP33 Trees • Chapter 12 of the NPPF		N/A
Impact on ecology	• KDP 12 of the SPD • Policy LP30 • Chapter 15 of the NPPF		N/A
Carbon Budget / Climate change statement	• KDP 8, 9, 10 & 11 of the SPD • Policy LP51 • Chapter 14 of the NPPF	Small scale domestic development to an existing dwelling. As such, no special measures required in terms of the planning application with regards to carbon emissions. A Climate Change Statement has been submitted with this application.	✓

Drainage and Flood Risk	• KDP 14 of the SPD • Policy LP24 (d) (vii), LP27 and LP34 of the KLP	The rear garden and landscaping would be retained to allow for run-off. The site is not located within an identified Flood Risk Zone 2 or 3 area.	✓
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The proposal is therefore acceptable in terms of the above listed other matters and accords with policies set out in the Kirklees Local Plan, the SPD and the NPPF.

Representations, including Parish/Town Council comments:

Summary of Representation	Officer response	Addressed ✓ / X / N/A
N/A		

Conclusion:

The NPPF has introduced a presumption in favour of sustainable development. The policies set out in the NPPF taken as a whole constitute the Government's view of what sustainable development means in practice.

This application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation: **CONDITIONAL FULL PERMISSION**

Decision Authorisation - Delegated Powers

Application Number:

Officer Recommendation: Approve

Conditions and Reasons

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: Pursuant to the requirements of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision

notice, except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.

Reason: For the avoidance of doubt as to what is being permitted and to accord with Policies LP01, LP02, LP21, LP22 & LP24 of the Kirklees Local Plan, Principles 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 & 15 of the Council's adopted House Extensions & Alterations Supplementary Planning Document and Policies within Chapters 2, 9, 12 and 14 of the National Planning Policy Framework

3. The external walls and roofing materials of the extension hereby approved shall in all respects match those used in the construction of the existing building.

Reason: In the interests of visual amenity and in accordance with Policies LP01, LP02 & LP24 of the Kirklees Local Plan, Principles 1 and 2 the Council's adopted House Extensions and Alterations Supplementary Planning Document and policies within Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	LP	1	29/11/2024
Existing floor plans and block plans	01	1	29/11/2024
Existing elevations	02	1	29/11/2024
Proposed floor plans – ground floor	03	1	29/11/2024
Proposed floor plans – first floor	04	1	29/11/2024
Proposed floor plans – roof	05	1	29/11/2024
Proposed elevations	06	1	29/11/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. It was not considered necessary to seek any amendments/further information during the course of this application.

